

Remarks

Status of claims. Claims 1, 2, 7, and 8 are pending; claims 3-6, and 9-22 were previously canceled. See the office action dated September 29, 2003, for renumbering of misnumbered claims. In the office action dated 9/29/2003, the examiner restricted the invention, objected to claims 1, 2, 7, and 8, and rejected claims 1, 2, and 7 under 35 USC 112, second paragraph. These matters are discussed below.

Restriction under 35 USC 121. The examiner modified a previous generic concept, adopting some of the applicants' claim terms and denying others. Although the restriction was apparently not deemed final, at least that term was never used, the applicants proceeded as if the requirement was made final. Claim terms and claimed species deemed outside the generic concept were deleted.

Objections. The numbering of claim 7 was inadvertently repeated in the original application. The examiner corrected the misnumbered claims and the applicants thank her.

Rejection under 35 USC 112, second paragraph. The examiner rejected claims 1, 2, and 7 for containing indefinite Markush terms. Some Markush groups contained the narrow terms of "cycloalkyl" and "aryl" and also the broad term "carbocyclic." The applicants adopted the examiners suggestion and deleted the terms "cycloalkyl" and "aryl" in favor of "carbocycle" wherever they occurred in the same Markush group.

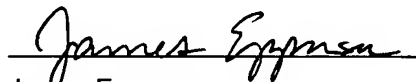
Claim 1 was rejected for including the term R^{11a} with no antecedent basis. The term was deleted.

Claim 2 and 7 were rejected for containing Markush variables or species with no antecedent basis. The variables and species were deleted.

The applicants believe the basis for all rejections under 35 USC 112 have been removed.

The examiner indicated that the claims appeared allowable when drawn solely to elected subject matter and free of the 112 rejections. The applicants believe they have done this, and in view of the above remarks, believe the application is in allowable form and respectfully request favorable reconsideration. If any issues remain regarding the allowance of this application, the Examiner is respectfully invited to contact the applicants' agent, James Epperson, by phone (203-677-6974), fax (203-677-6900), or e-mail (james.epperson@bms.com).

Respectfully submitted,



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